

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS,
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. 1:14-cv-254

**PLAINTIFFS' UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE
RESPONSE TO DEFENDANTS' SUBMISSION PURSUANT
TO THE COURT'S APRIL 7 ORDER**

Plaintiffs file this Unopposed Motion to Extend the Deadline to File Response to Defendants' Submission Pursuant to the Court's April 7 Order by nine days. In support of their motion, Plaintiffs would respectfully show the following:

1. On April 30, Defendants filed a response to this Court's order dated April 7 requiring them to produce documents. *See* ECF No. 243. Pursuant to this Court's order dated April 20, Plaintiffs' deadline to respond to Defendants' April 30 submission is May 11. *See* Order of Apr. 20, 2015, ECF No. 235.

2. On May 7, Defendants issued an advisory identifying undisclosed errors by the United States Citizenship and Immigration Services ("USCIS") in complying with the Court's preliminary injunction. Specifically, Defendants informed the Court that they had issued approximately 2,000 additional three-year deferred action grants *after* the Court entered a preliminary injunction on February 16. *See* Defs.

May 7, 2015 Advisory, ECF No. 247 at 1. Defendants also stated that 72 individuals, instead of the 55 originally reported to Plaintiffs and the Court during the March 19 hearing, received three-year deferred action grants after the injunction was entered. *See id.* at 2 n.1. As part of this advisory, Defendants informed the Court that they intend to supplement their latest advisory “as soon as [additional details] are available, and by no later than May 15, 2015.” *See id.* at 2.

3. Recognizing that this newly disclosed information bears on the matters at issue in this Court’s April 7 order—and thus Plaintiffs’ response—Defendants represented to this Court in their May 7 advisory that they would consent to extending Plaintiffs’ current May 11 deadline. *See id.* at 3. Plaintiffs therefore respectfully request that the Court grant a nine-day extension of the deadline for their response to Defendants’ April 30 submission, up to and until May 20.

4. Plaintiffs have conferred with Defendants concerning the substance of this motion, and Defendants have confirmed that they consent to the relief requested herein.

5. Federal Rule of Civil Procedure 6(b)(1)(a) provides that the Court may extend filing deadlines in its discretion. Plaintiffs seek this extension of time for good cause shown and in the interest of justice, not for delay, and no party will be prejudiced if the extension is granted. Rather, this motion is necessary to provide Plaintiffs sufficient time to review the additional factual information Defendants may submit with the supplement to their May 7 advisory and prepare an appropriate response. The matters addressed in Defendants’ May 7 advisory are relevant to the

issue of whether additional discovery is warranted in order to determine the reliability of the statements Defendants have provided this Court regarding implementation of the challenged executive action and compliance with the preliminary injunction.

6. For the reasons stated above, Plaintiffs respectfully request that this Court extend the deadline for Plaintiffs to file a response to Defendants' April 30 submission from May 11 to May 20, 2015. Additionally, Plaintiffs request that the Court extend the Defendants' deadline to respond from May 18 to May 27, 2015.

Dated: May 11, 2015

Respectfully submitted.

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CERTIFICATE OF CONFERENCE

On May 10, 2015, counsel for Plaintiffs conferred with counsel for Defendants regarding the relief requested in this motion. Counsel for Defendants has indicated that they are unopposed to the motion.

/s/ Angela V. Colmenero
ANGELA V. COLMENERO

CERTIFICATE OF SERVICE

I certify that I served a copy of this pleading on all counsel of record via this Court's CM/ECF system.

/s/ Angela V. Colmenero
ANGELA V. COLMENERO